



General Assembly

Substitute Bill No. 231

February Session, 2010

* ____SB00231PS_FIN031110____ *

**AN ACT CREATING AN AMNESTY PROGRAM FOR DELINQUENT
LOTTERY SALES AGENTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 12-569 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2010*):

3 (a) If the president of the Connecticut Lottery Corporation
4 determines that any lottery sales agent has breached [his] such agent's
5 fiduciary responsibility to the corporation in that the account of such
6 lottery sales agent with respect to moneys received from the sale of
7 lottery tickets has become delinquent in accordance with regulations
8 adopted as provided in section 12-568a, the president shall notify the
9 executive director of the breach of fiduciary duty and the executive
10 director shall impose a delinquency assessment upon such account
11 equal to ten per cent of the amount due or ten dollars, whichever
12 amount is greater, plus interest at the rate of one and one-half per cent
13 of such amount for each month or fraction of a month from the date
14 such amount is due to the date of payment. [Subject] Except as
15 provided in section 2 of this act, and subject to the provisions of section
16 12-3a, the executive director may waive all or part of the penalties
17 provided under this subsection when it is proven to [his] the executive
18 director's satisfaction that the failure to pay such moneys to the state
19 within the time allowed was due to reasonable cause and was not

20 intentional or due to neglect. Any such delinquent lottery sales agent
21 shall be notified of such delinquency assessment and shall be afforded
22 an opportunity to contest the validity and amount of such assessment
23 before the executive director who [is hereby authorized to] may
24 conduct such hearing. Upon request of the president of the
25 Connecticut Lottery Corporation, the executive director may prepare
26 and sign a warrant directed to any state marshal, constable or any
27 collection agent employed by the Connecticut Lottery Corporation for
28 distraint upon any property of such delinquent lottery sales agent
29 within the state, whether personal or real property. An itemized bill
30 shall be attached [thereto] to the warrant certified by the executive
31 director as a true statement of the amount due from such lottery sales
32 agent. Such warrant shall have the same force and effect as an
33 execution issued in accordance with chapter 906. Such warrant shall be
34 levied on any real, personal, tangible or intangible property of such
35 agent and sale made pursuant to such warrant in the same manner and
36 with the same force and effect as a levy and sale pursuant to an
37 execution.

38 **(b)** The executive director, with the advice and consent of the board,
39 shall adopt regulations in accordance with chapter 54 to carry out the
40 purposes of this section.

41 Sec. 2. (NEW) (*Effective October 1, 2010*) (a) Notwithstanding the
42 provisions of section 12-3a of the general statutes, the executive
43 director of the Division of Special Revenue shall establish a settlement
44 initiative program for any lottery sales agent who owes moneys
45 received from the sale of lottery tickets, provided a delinquency
46 assessment has been imposed prior to October 1, 2010, against such
47 agent by the executive director in accordance with section 12-569 of the
48 general statutes. The executive director shall send written notification
49 not later than November 1, 2010, to all eligible lottery sales agents of
50 their eligibility to participate in the program. The settlement initiative
51 program shall be conducted during the period of October 1, 2010, to
52 December 31, 2010, inclusive.

53 (b) An eligible lottery sales agent shall have sixty days from the date
54 of such agent's receipt of written notification in accordance with
55 subsection (a) of this section to pay in full the amount owed, minus
56 fifty per cent of the interest owed. In making such payment, the lottery
57 sales agent shall waive all of such agent's administrative and judicial
58 rights of appeal that have not run or otherwise expired as of the date
59 payment is made. No payment made by an eligible lottery sales agent
60 under the program shall be refunded or credited to such eligible
61 lottery sales agent.

62 (c) If an eligible lottery sales agent, who has received written
63 notification in accordance with subsection (a) of this section, fails to
64 make a payment in accordance with subsection (b) of this section
65 within sixty days, such eligible lottery sales agent shall no longer be
66 eligible to participate in the settlement initiative program. The
67 executive director shall retain any payments made and apply such
68 payments against any moneys owed by such eligible lottery sales
69 agent.

70 (d) The executive director shall deposit all moneys collected from
71 the settlement initiative program into the General Fund.

72 (e) Nothing in this section shall entitle any eligible lottery sales
73 agent to a refund or credit of any amount paid to the Division of
74 Special Revenue prior to the executive director's written notification in
75 accordance with subsection (a) of this section.

76 (f) Notwithstanding any provision of the general statutes, the
77 executive director may do all things necessary in order to provide for
78 the timely implementation of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	12-569
Sec. 2	<i>October 1, 2010</i>	New section

PS

Joint Favorable Subst. C/R

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